

## Docket No. 2003-326-C

# Analysis of Continued Availability of Unbundled Local Switching for Mass Market Customers Pursuant to the Federal Communication Commission’s Triennial Review Order

**PETITION OF ITC^DELTA.COM, INC.  
AND BUSINESS TELECOM, INC.'S  
PETITION TO INTERVENE IN  
DOCKET NO. 2003-326-C**

("FCC") in its Triennial Review Order of Section 251 unbundling obligations of Incumbent Local Exchange Carriers ("TRO").

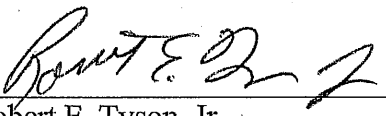
5. ITC^DeltaCom has an interest in the instant proceeding because the Commission's ruling will affect ITC^DeltaCom's telecommunications services to its customers in South Carolina.

6. As a provider of these telecommunications services, ITC^DeltaCom's interests are not adequately represented by any other party to this proceeding. Accordingly, ITC^DeltaCom requests that it be permitted to intervene in this proceeding in order to protect its interest.

7. The position of ITC^DeltaCom in this proceeding is to assist the Commission in its fact-finding role to determine whether impairment exists in South Carolina.

8. ITC^DeltaCom is informed and believes that granting its request to be made a party of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing the views and concerns of ITC^DeltaCom can be developed.

WHEREFORE, for the foregoing reasons, ITC^DeltaCom respectfully submits its intervention in the above-captioned Docket Number 2003-326-C and requests that it be permitted to participate therein with full rights as a party.

By:   
Robert E. Tyson, Jr.  
SOWELL GRAY STEPP & LAFFITTE, L.L.C.  
Post Office Box 11449  
Columbia, South Carolina 29211  
(803) 929-1400

*Nanette Edwards (with permission)*  
Nanette S. Edwards, Esquire  
ITC^DeltaCom Communications, Inc.  
4092 S. Memorial Parkway  
Huntsville, Alabama 35802  
(256) 382-3856  
NEdwards@ITCDeltacom.com

Attorneys for ITC^DeltaCom, Inc.

Columbia, South Carolina  
November 14, 2003

## Docket No. 2003-327-C

Continued Availability of Unbundled High Capacity Loops at Certain Locations and Unbundled High Capacity Transport on Certain Routes Pursuant to the Federal Communication Commission's Triennial Review Order

**PETITION OF ITC^DELTA COM, INC.  
AND BUSINESS TELECOM, INC.'S  
PETITION TO INTERVENE IN  
DOCKET NO. 2003-327-C**

1. ITC^DeltaCom is a telecommunications company duly organized and existing under the laws of the State of Alabama. ITC^Deltacom, a competitive local exchange carrier, provides telecommunications services to customers throughout the State of South Carolina.

2. The legal name and address of ITC^Deltacom are as follows:

ITC^DeltaCom Communications, Inc.  
4092 South Memorial Parkway  
Huntsville, Alabama, 35802

3. The full name and address of the authorized representative of ITC^DeltaCom are as follows:

Robert E. Tyson, Jr., Esquire  
Sowell Gray Stepp & Laffitte, LLC  
1310 Gadsden Street  
Columbia, South Carolina 29201

4. On November 7, 2003 the Commission issued an Order setting hearing dates and opening dockets for the state proceedings required by the Federal Communications Commission

("FCC") in its Triennial Review Order of Section 251 unbundling obligations of Incumbent Local Exchange Carriers ("TRO").

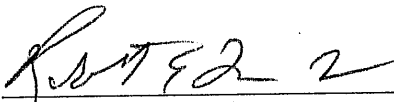
5. ITC^DeltaCom has an interest in the instant proceeding because the Commission's ruling will affect ITC^DeltaCom's telecommunications services to its customers in South Carolina.

6. As a provider of these telecommunications services, ITC^DeltaCom's interests are not adequately represented by any other party to this proceeding. Accordingly, ITC^DeltaCom requests that it be permitted to intervene in this proceeding in order to protect its interest.

7. The position of ITC^DeltaCom in this proceeding is to assist the Commission in its fact-finding role to determine if impairment exists in South Carolina.

8. ITC^DeltaCom is informed and believes that granting its request to be made a party of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing the views and concerns of ITC^DeltaCom can be developed.

WHEREFORE, for the foregoing reasons, ITC^DeltaCom respectfully submits its intervention in the above-captioned Docket Number 2003-327-C and requests that it be permitted to participate therein with full rights as a party.

By:   
Robert E. Tyson, Jr.  
SOWELL GRAY STEPP & LAFFITTE, L.L.C.  
Post Office Box 11449  
Columbia, South Carolina 29211  
(803) 929-1400

Nanette S. Edwards (with permission)  
RET.  
Nanette S. Edwards, Esquire  
ITC^DeltaCom Communications, Inc.  
4092 S. Memorial Parkway  
Huntsville, Alabama 35802  
(256) 382-3856  
NEdwards@ITCDeltacom.com

Attorneys for ITC^DeltaCom, Inc.

Columbia, South Carolina

November 14, 2003

STATE OF SOUTH CAROLINA )

COUNTY OF RICHLAND )

CERTIFICATE OF SERVICE

I, the undersigned employee of the law offices of Sowell Gray Stepp & Laffitte, LLC, counsel for ITC^DeltaCom Communications, Inc. do hereby certify that I have served counsel in this action, as identified below, with a copy of the document(s) hereinbelow specified by first class mail, postage pre-paid:

**Pleadings:**

ITC^DeltaCom, Inc.'s Petition to Intervene in Docket Numbers  
2003-326-C and 2003-327-C

**Counsel Served:**

F. David Butler, Esquire  
General Counsel  
Public Service Commission of S.C.  
101 Executive Center Drive  
Columbia, SC 29210

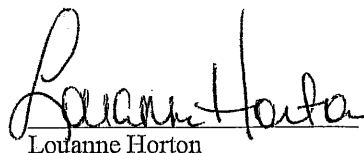
Florence P. Belser, Esquire  
Executive Assistant to Commissioners  
Public Service Commission of S.C.  
101 Executive Center Drive  
Columbia, SC 29210

Elliot F. Elam, Jr., Esquire  
SC Department of Consumer Affairs  
PO Box 5757  
Columbia, SC 29250

John J. Pringle, Jr., Esquire  
Ellis Lawhorn & Sims, PA  
PO Box 2285  
Columbia, SC 29202

Patrick W. Turner, Esquire  
BellSouth Telecommunications, Inc.  
1600 Williams Street  
Suite 5200  
Columbia, SC 29201

RECEIVED  
NOV 14 2003  
SC PUBLIC SERVICE  
COMMISSION

  
Louanne Horton

Nov. 14, 2003